

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**F028154      People v. Gann, Jr.**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F026769      People v. Irvin**

**F027978      In re William David Irvin on Habeas Corpus**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F027406      People v. Garica**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F030437      In re Faith R. et al., Minors**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

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**COURTROOM PROCEEDINGS**

The court met in its courtroom at 1:30 P.M. Present: Honorable James A. Ardaiz, Presiding Justice; Honorable Nickolas J. Dibiaso, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Robert Abilez, Deputy Clerk.

**F026640      Figueroa, et al. v. County of Fresno; Salazar**

Parties stipulate that (1) Levy, J., the absent assigned justice, participate in the determination of this appeal, and (2) Levy, J. to listen to the tape recording of oral proceedings upon his return.

Cause called and argued by Roger K. Vehrs, Esq., counsel for appellant and by Rosemary T. McGuire, Esq., counsel for respondent County of Fresno and by Paul Auchard, Esq., counsel for respondent Mary Salazar.

Cause ordered submitted.

At this point Dibiaso, J. leaves the bench and is replaced by Wiseman, J.

**F027351      People v. Warren**

Parties stipulate that (1) Levy, J., the absent assigned justice, participate in the determination of this appeal, and (2) Levy, J. to listen to the tape recording of oral proceedings upon his return.

Cause called and argued by Daniel Byrne, Esq., counsel for appellant and by Rachelle Newcomb, Esq., Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

Court recessed until Friday, October 16, 1998 at 10:00 A.M.

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**Fifth Appellate District**

**F031296      Lonnie E., et al. v. Superior Court, Stanislaus County; Department of Social Services**

Let a peremptory writ issue directing the Stanislaus County Superior Court to vacate the order of July 10, 1998, setting the Welfare and Institutions Code section 366.26 hearing and terminating reunification services as to petitioner in Stanislaus County Superior Court action Nos. MJ33162, MJ33163 and MJ24707. The court is directed to conduct a status review hearing and to order an additional six full months of reunification services be provided petitioner.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F029574      People v. Ramos**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F028670      People v. Dahlen**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F031567      Maria M. v. The Superior Court of Kern County; Kern County Department of Human Services**

Oral argument having been waived in the above-entitled case in accordance with the provisions of this court's order filed September 30, 1998, the calendar date set for October 29, 1998, is vacated, and the case is submitted for decision.

**F030599      In re Monique K., a Minor**

The judgment is affirmed. Harris, J.

We concur: Stone (W.A.), Acting P.J.; Thaxter, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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**F030145      In re Sophal S., a Minor**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F030297      People v. Torres**

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

**F031346      People V. Navarro**

No brief having been filed by appellant after notice duly given under rule 17(c) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

**F031712      In re Pete Anthony Garcia on Habeas Corpus**

Let a petition for writ of habeas corpus issue, directing the Stanislaus County Clerk, if he receives said notice and request on or before November 18, 1998, to file the notice and request, to treat them as being timely filed, to cause the request to be ruled upon by the superior court, and in the event the court grants said request, to proceed with the preparation of the record on appeal in accordance with the applicable rules of the California Rules of Court.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F028695      The People v. Porter**

**F030237      In re Henderson R. Porter on Habeas Corpus**

The judgment is affirmed. Porter's petition for habeas corpus is denied.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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**F030629      In re Tabitha R., a Minor**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F031254      People v. Wiley, Jr.**

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

Pursuant to rule 38, California Rules of Court, it is further ordered that the remittitur issue forthwith.